

NATIONAL COMPANY LAW APPELLATE TRIBUNAL

NEW DELHI

COMPANY APPEAL(AT) NO.338 OF 2018

IN THE MATTER OF:

V.J. Paul Joseph & Ors

Appellant

Vs

Alexander Correya & Ors

Respondents

For Appellant:- Mr Sadchith P Kurup, Advocate.

For Respondents: - Mr. Lzafeer Ahmad, Mr Vipin Jai, Advocates for R7.
Mr. Anandh K., Advocate for R4 to R6. Mr.Ravi Raghunath, Advocate for R8.
Mr. Achyuth Ajithkumar, Advocate for R1-R3.

AND

COMPANY APPEAL(AT) NO.349 OF 2018

IN THE MATTER OF:

Kathirkutty Augusthy & Ors

Appellant

Vs

Alexander Correya & Ors

Respondents

For Appellant:- Mr. Anandh K, Advocate.

For Respondents: - Mr. Lzafer Ahmad, Mr Vipin Jai, Advocates for
Respondent No.4.

Mr. Achyuth Ajithkumar, Advocate for R1 to R3.

O R D E R

06.09.2019 - On last date we deferred the hearing to enable the appellant No.1 in Company Appeal (AT) No.338 of 2018 to appear in person with express direction that in the event of his failure to present himself in person appropriate orders may be passed.

2. Mr. Sadchith P Kurup, Advocate appears on behalf of the appellants and seeks permission to file Vakalatnama. He is permitted to do so. He submits that the Writ Petition filed by the appellants before the Hon'ble High Court of Kerala has been dismissed. After going through the minutes of the proceedings recorded in this appeal on various dates of hearing we find that the Appellant No.1 in Company Appeal (AT) No.338 of 2018, despite specific direction, has been playing hide and seek and not cooperating. The affidavit of compliance filed by him on 30th July, 2019 is stated to be more in breach than in compliance thereby necessitating his personal appearance. While we intend to use the legally permissible coercive methods to obtain his personal appearance, we are inclined to give one more opportunity to learned counsel for appellants appearing today,

on his undertaking to cause personal appearance of Appellant No.1 in Company Appeal (AT) No.338 of 2018. The undertaking is taken on record.

3. Let the appeals be posted for hearing on **24th September, 2019.**

(Justice Bansi Lal Bhat)
Member (Judicial)

(Mr. Balvinder Singh)
Member (Technical)

Bm/nn